

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Retirement to Original House Bill No. 569  
by Representative Arnold

1 AMENDMENT NO. 1

2 On page 1, line 4, between "3687," and "3689," insert "3688(A)(8), (9), (10), and (11), (B),  
3 (C), and (D),"

4 AMENDMENT NO. 2

5 On page 1, at the beginning of line 6, change "3688(E)," to "3688(A)(12) and (E),"

6 AMENDMENT NO. 3

7 On page 1, line 6, after "3697," change "3698, and 3699," to "and 3698,"

8 AMENDMENT NO. 4

9 On page 1, line 18, between "3687," and "3689," insert "3688(A)(8), (9), (10), and (11), (B),  
10 (C), and (D)," and change "3692(A)" to "3692"

11 AMENDMENT NO. 5

12 On page 1, at the beginning of line 20, change "3688(E)," to "3688(A)(12) and (E),"

13 AMENDMENT NO. 6

14 On page 1, line 20, after "3697," change "3698, and 3699" to "and 3698"

15 AMENDMENT NO. 7

16 On page 6, line 14, change "including" to "and"

17 AMENDMENT NO. 8

18 On page 14, delete lines 16 through 20 in their entirety and insert the following:

19 "(23) "Inactive member" means a member who continues to work after  
20 participation in the Deferred Retirement Option Plan under the Deferred Retirement  
21 Option Plan provisions applicable to members hired before June 30, 2011.

22 (24) "Inactive membership" means service after participation in the Deferred  
23 Retirement Option Plan under the Deferred Retirement Option Plan provisions  
24 applicable to members hired on or after July 1, 2011."

25 AMENDMENT NO. 9

26 On page 15, at the end of line 26, delete "with" and at the beginning of line 27 delete "any  
27 amount of earnings." and insert "in which there were earnings."

28 AMENDMENT NO. 10

29 On page 17, line 9, after "any member" delete the comma "," and delete "after becoming a  
30 member,"

1 AMENDMENT NO. 11

2 On page 21, line 20, after "service credit" delete "only"

3 AMENDMENT NO. 12

4 On page 22, delete line 4 through 28 in their entirety, delete page 23 in its entirety, and on  
5 page 24, delete lines 1 through 14 in their entirety and insert the following:

6 "D. Credit for military service.

7 Credit for military service may be accrued in accordance with the Military  
8 Service Relief Act contained in R.S. 29:401 through 426."

9 AMENDMENT NO. 13

10 On page 25, line 14, change "state" to "covered"

11 AMENDMENT NO. 14

12 On page 25, at the end of line 17, change "state" to "covered"

13 AMENDMENT NO. 15

14 On page 26, line 26, after "remarriage." delete the remainder of the line and insert "This  
15 Subparagraph shall be effective on July 1, 2011, and thereafter."

16 AMENDMENT NO. 16

17 On page 27, line 1, after "eligible" change "widow" to "spouse"

18 AMENDMENT NO. 17

19 On page 27, line 4, after "eligible" change "widow" to "spouse"

20 AMENDMENT NO. 18

21 On page 27, line 15, after "surviving" change "widow" to "spouse"

22 AMENDMENT NO. 19

23 On page 28, delete lines 24 through 29 in their entirety and on page 29 delete lines 1 and 2  
24 in their entirety and insert the following:

25 "~~(e)~~ (d) Provided that in the case of death of any member resulting from  
26 injury received in line of duty survivors' benefits shall be paid regardless of number  
27 of years of service and shall be sixty percent of his final salary payable to his widow  
28 until she remarries or to his surviving children under eighteen years of age if there  
29 is no eligible surviving widow; or to his surviving parents if there is no eligible  
30 surviving widow or child."

31 AMENDMENT NO. 20

32 On page 32, line 27, between "the" and "DROP" insert "Harbor Police Retirement System"

33 AMENDMENT NO. 21

34 On page 36, line 25, after "mean" change "3685(A)(1)(a)(ii)" to "retirement under R.S.  
35 11:3685(A)(1)(a)(iii)"

1 AMENDMENT NO. 22

2 On page 37, line 1, change "must" to "shall"

3 AMENDMENT NO. 23

4 On page 37, at the beginning of line 16, change "3685(A)(1)(a)(ii)" to "R.S.  
5 11:3685(A)(1)(a)(iii)"

6 AMENDMENT NO. 24

7 On page 37, line 18, after "under" delete "Subsection (b) of this Section" and insert  
8 "Subparagraph (b) of this Paragraph"

9 AMENDMENT NO. 25

10 On page 37 at the beginning of line 26 change "(I)" to "(i)"

11 AMENDMENT NO. 26

12 On page 38, at the beginning of line 3 change "(b)(I)" to "(b)(i)"

13 AMENDMENT NO. 27

14 On page 39, at the beginning of line 1 change "(I)" to "(i)"

15 AMENDMENT NO. 28

16 On page 39 line 7, after "pursuant to" delete the remainder of the line and insert  
17 "Subparagraph (d) of this Paragraph."

18 AMENDMENT NO. 29

19 On page 42, line 1, after "return on" delete "reserves allocated to retirees" and insert "assets  
20 as of the most recent actuarial valuation"

21 AMENDMENT NO. 30

22 On page 45, line 4 change "Subsection A" to "this Subsection"

23 AMENDMENT NO. 31

24 On page 45, line 11, after "options in" delete the remainder of the line and insert "R.S.  
25 11:3687(A)(2), (3), (4)."

26 AMENDMENT NO. 32

27 On page 51, between lines 7 and 8 insert the following:

28 "(a) For benefits commencing before social security retirement age and for  
29 forms of benefits other than straight life annuity, the greater of five percent or the  
30 rate used to determine the actuarial equivalent.

31 (b) For benefits commencing after social security retirement age, the lesser  
32 of five percent or the rate used to determine actuarial equivalent."

33 AMENDMENT NO. 33

34 On page 52, line 21, change "(11)" to "(10)"

1 AMENDMENT NO. 34

2 On page 53, line 25, after "service" insert "and who becomes disabled resulting from an  
 3 injury sustained in the line of duty"

4 AMENDMENT NO. 35

5 On page 56, line 6, change "certification(s)" to "certifications"

6 AMENDMENT NO. 36

7 On page 56, at the end of line 20 insert the following:

8 "Any member of the system who has become disabled or incapacitated because of  
 9 continued illness or as a result of any injury received, even though not in the line of  
 10 duty, and who has been a member of the system for at least five years but is not  
 11 eligible for retirement under the provisions of R.S. 11:3685 may apply for retirement  
 12 under the provisions of this Section."

13 AMENDMENT NO. 37

14 On page 57, at the beginning of line 10 insert "(2)"

15 AMENDMENT NO. 38

16 On page 57, delete lines 19 through 29 in their entirety

17 AMENDMENT NO. 39

18 On page 59, line 26, change "R.S. 11:3686(C)(6)" to "Paragraph (6) of this Subsection"

19 AMENDMENT NO. 40

20 On page 59, delete line 28 in its entirety and insert "Price Index CPI-U All Urban Consumers  
 21 for the preceding calendar year. The"

22 AMENDMENT NO. 41

23 On page 60, at the end of line 18 change "R.S. 11:3686(B)(4)(a)." to "Paragraph (B)(4) of  
 24 this Section."

25 AMENDMENT NO. 42

26 On page 62, at the beginning of line 9 change "D." to "E."

27 AMENDMENT NO. 43

28 On page 62, line 12, change "defined" to "provided"

29 AMENDMENT NO. 44

30 On page 62, line 21, change "Options 2-5" to "Options 2 through 5"

31 AMENDMENT NO. 45

32 On page 62, at the end of line 17, insert "his" and at the beginning of line 18 delete "the  
 33 Option 1 maximum"

AMENDMENT NO. 46

On page 62, delete lines 22 through 29 in their entirety and insert the following:

"(1) Option 1. If he dies before he has received in annuity payments the present value of his member's annuity as it was at the time of his retirement, the balance shall be paid to his legal representatives or to such person as he shall nominate by written designation duly acknowledged and filed with the Board of Trustees."

AMENDMENT NO. 47

On page 63, line 19, change "live" to "life"

**AMENDMENT NO. 48**

On page 64, at the beginning of line 4, delete "(7) Option"

AMENDMENT NO. 49

On page 64, delete lines 11 through 29 in their entirety and on page 65 delete lines 1 through 12 in their entirety

AMENDMENT NO. 50

On page 65, line 13, change "designation of" to "designated"

AMENDMENT NO. 51

On page 65, line 18, change "Options 2A, 3A, or 5A," to "Options 2A or 3A"

AMENDMENT NO. 52

On page 65, delete lines 24 through 29 in their entirety and on page 66 delete lines 1 through 21 in their entirety

AMENDMENT NO. 53

On page 66, delete line 23 in its entirety and insert the following:

"A. Board of Trustees.

\* \* \*

(8) The Board of Trustees shall elect from its membership a Chairman and shall by a unanimous vote appoint a Secretary who shall be one of its members. ~~The Board of Trustees shall engage such actuarial and other services as shall be required to transact the business of the retirement system. The compensation of all persons engaged by the Board of Trustees, and all other expenses of the Board necessary for the operation of the retirement system shall be paid at such rates and in such amounts as the Board of Trustees shall approve.~~

(9) The Board of Trustees shall engage such actuarial and other services as shall be required to transact the business of the retirement system. The compensation of all persons engaged by the Board of Trustees, and all other expenses of the board necessary for the operation of the retirement system shall be paid at such rates and in such amounts as the Board of Trustees shall approve.

~~(9)~~(10) The Board of Trustees shall keep in convenient form such data as shall be necessary for actuarial valuation of the various funds of the retirement system, and for checking the experience of the system.

(10)(11) The Board of Trustees shall keep a record of all of its proceedings which shall be open to public inspection. It shall publish annually a report showing

the fiscal transactions of the retirement system for the preceding fiscal year, the amount of the accumulated cash and securities of the system, and the last balance sheet showing the financial condition of the system by means of an actuarial valuation of the assets and liabilities of the retirement system.

~~(11)(12)(a) Notwithstanding any other provisions of law to the contrary, the~~  
The members of the board of trustees of the Harbor Police Retirement System shall receive for attendance at meetings of the board a per diem of seventy-five dollars per meeting, provided funds are available for this purpose and Civil Service rules are followed.

(b) The members of the board of trustees shall receive a per diem for each meeting of the board. However, no member of the board shall be eligible for a per diem for more than six board meetings in any year.

B. Legal advisor. The Attorney General shall be the legal advisor of the Board of Trustees.

C. Medical ~~board~~ advisor. The Board of Trustees ~~shall~~ may designate a ~~Medical Board to be composed of three firm to provide medical advice to the trustees related to disability and other medical determinations. The trustees will obtain the advice of physicians not eligible to participate in the retirement system to provide such advice.~~ If required, other physicians may be employed to report on special cases. The board of trustees may use Medical Board shall advisor firm to provide physicians to arrange for and pass upon all medical examinations required under the provisions of this Subpart, and the physicians approved by the trustees shall investigate all essential statements and certificates by or on behalf of a member in connection with an application for disability retirement, and shall report in writing to the Board of Trustees its conclusion and recommendations upon the matters referred to it.

D. Actuary; duties and actuarial assumptions. (1) The Board of Trustees and the Board of Commissioners of the Port of New Orleans shall jointly designate an actuary who shall be the technical advisor of the Board of Trustees on actuarial matters regarding the operation of the fund created by the provisions of this Subpart, and shall perform such other duties as are required in connection therewith.

(2) ~~Immediately after the establishment of the retirement system, the actuary shall make such investigation of the mortality, service and compensation experience of the members of the system as he shall recommend and the Board of Trustees shall authorize, and on the basis of such investigation he shall recommend for adoption by the Board of Trustees such tables and such rates as are required in Subparagraphs (3)(a) and (b) of this Section. The Board of Trustees shall adopt all actuarial tables, assumptions, and certify rates, and as soon as practicable thereafter the . The actuary shall make a valuation valuations and determinations based on such tables, assumptions, and rates of the assets and liabilities of the funds created by this Subpart.~~

(3) ~~In the year of nineteen hundred seventy-two, and at~~ At least once in each five-year period thereafter, and upon approval of the Board of Trustees, the actuary shall make an actuarial investigation into the mortality, service and compensation experience of the members and beneficiaries of the retirement ~~system; system. and shall make a valuation of the assets and liabilities of the funds of the system, and taking into account the result of such investigation and valuation, the~~ The Board of Trustees shall:

(a) ~~Adopt~~ adopt for the retirement system such mortality, service, and other tables and actuarial assumptions as shall be deemed necessary.

(b) ~~Certify the rates of contribution payable by the employer on account of new entrants.~~

(4) On the basis of such tables and actuarial assumptions as the Board of Trustees shall adopt, the actuary shall make an annual valuation of the assets and liabilities of the funds of the system created by this Subpart.

(5)(a) Unless different actuarial assumptions are formally adopted and disclosed, the following assumptions shall be used in determining actuarial equivalents:

(i) Interest shall be compounded annually at the rate of seven percent per annum.

(ii) Annuity rates shall be determined on the basis of the ~~1971 Group Annuity Unisex Mortality Tables~~; most current mortality table recommended by the Society of Actuaries for retirement systems.

(iii) Effective July 1, 2011, interest for calculating transfers into the HPRS and for buying back refunded service shall be eight and one-quarter percent per annum.

(b) The board of trustees may authorize the use of interest and mortality rates in determining the actuarial equivalents which are different from the actuarial assumptions used for other purposes in this Subpart. Any change in such actuarial assumptions shall be considered a part of this retirement system and shall be considered an amendment to the provisions of this Section. In order to be effective, such change must be formally adopted by the board of trustees and disclosed to members of the retirement system."

AMENDMENT NO. 54

On page 67, line 12, after "the" and before "Fund" delete "Expense"

AMENDMENT NO. 55

On page 71, line 16, after "~~There~~" delete the remainder of the line and on line 17 delete "11:3697, there" and insert "There"

AMENDMENT NO. 56

On page 74, line 4, delete "A."

AMENDMENT NO. 57

On page 74, delete line 11 in its entirety and insert the following:

~~"B. Should any change or error in the records result in any member or beneficiary receiving from the retirement system more or less than he would have been entitled to receive had the records been correct, the Board of Trustees shall correct such error, and as far as practicable, shall adjust the payment in such a manner that the actuarial equivalent of the benefit to which such member or beneficiary was correctly entitled shall be paid."~~

AMENDMENT NO. 58

On page 74, at the end of line 18, delete the period "." and insert the following:

"unless created subsequent to the effective date of this Act and only then if the provision specifically names the Harbor Police Retirement System as one of the retirement systems impacted by such Act."

AMENDMENT NO. 59

On page 76, line 13, after "overpayments" and before "payment" change "and/or" to "or"

AMENDMENT NO. 60

On page 76, delete lines 19 through 24 in their entirety

AMENDMENT NO. 61

On page 76, at the beginning of line 25, change "\$3698" to "\$3697."

1 AMENDMENT NO. 62

2 On page 76, at the beginning of line 28, change "§3699" to "§3698"

3 AMENDMENT NO. 63

4 On page 77, line 22, and on page 78, line 6, change "R.S. 29:251.2.B" to "R.S. 29:251.2(B)"

5 AMENDMENT NO. 64

6 On page 78, line 11, change "Act 484 of 1985" to "Act 474 of the 1985 Regular Session of  
7 the Legislature" and change "3%" to "three percent"

8 AMENDMENT NO. 65

9 On page 78, line 12, change "3%" to "three and one-third percent"

10 AMENDMENT NO. 66

11 On page 78, line 24, change "ACT 484 of 1985" to "Act 474 of the 1985 Regular Session  
12 of the Legislature" and change "3% to 3%," to "three percent to three and one-third  
13 percent,"

14 AMENDMENT NO. 67

15 On page 78, line 25, change "2 ½% to 3%" to "two and one-half percent to three percent"

16 AMENDMENT NO. 68

17 On page 79, line 10, change "3684.(B)(2)." to "11:3684(B)(2)."

18 AMENDMENT NO. 69

19 On page 79, delete lines 13 through 16 in their entirety and insert the following:

20 "(7) Any cumulative net overpayment error will be forgiven in its entirety  
21 and any cumulative net underpayment error will be paid in its entirety in a lump sum.

22 (8) For members hired on 3/27/68, 7/3/68, 12/3/68, 6/28/61, 3/30/71, 4/5/67,  
23 3/25/60, 9/29/66, 9/23/70, 12/2/68, 7/28/69, 7/8/71, 6/21/69, 11/8/56, and 10/4/69  
24 who transferred into the Harbor Police Retirement System when the system was  
25 started on 8/1/71 thereby transferring service credit from LASERS which was earned  
26 at a benefit factor of two and one-half percent per year and for a member hired on  
27 5/3/83 who transferred prior service credit from LASERS which was earned at a  
28 benefit factor of two and one-half percent per year, all of whom retired from the  
29 Harbor Police Retirement System and were paid benefits at the higher benefit factor  
30 of three percent per year or three and one-third percent per year for all years of  
31 service, including the transferred years, instead of the benefit factor from the  
32 transferring system of two and one half percent as specified in R.S. 11:1423, the  
33 higher percentage factor shall be allowed. This adjustment shall be effective for the  
34 designated members only and only in determining the amount of the correct benefit  
35 payments going forward."